

REMARKS

Upon entry of the claim amendments, Claims 1-7 and 9-13 will be all the claims pending in the application.

Applicants have canceled Claim 8.

Applicants note with appreciation the Examiner's indication of allowable subject matter at page 4 of the Action, wherein Claims 1-7 and 11-13 are indicated as being allowed.

With respect to the §103 rejection of Claim 8, Claim 8 has been canceled, rendering the rejection moot.

With respect to Claims 9 and 10, they are rejected at page 3 of the Office Action under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over Claims 1-4 of U.S. Patent No. 6,786,840 ("Hayashi") in view of Nakamura.

Applicants are submitting herewith a Terminal Disclaimer with respect to US '840. The filing of the Terminal Disclaimer is not an admission of the propriety of the rejection, and raises neither a presumption nor estoppel on the merits of the rejection. MPEP §804.02.

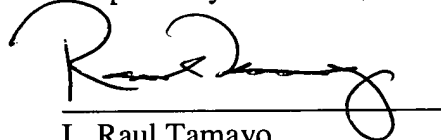
Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT

U.S. Appln. No. 10/720,222

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Raul Tamayo", written over a horizontal line.

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